

No. 60042

Date Filed MAY 04 1994

Indexed under

Well Log *NO LOG FILED*

Name of applicant *X*

Map *9-110(6)* Basin

Stream WALKER RIVER VALLEY

Township *8N* Range *31E* WHISKY FLAT-HAWTHORNE County MINERAL

Point of diversion NW 1/4 NE 1/4 Section *24* SUBAREA

Applicant KOVHIL CORPORATION

Source of Water UNDERGROUND

Returned for correction Abrogated by

Corrected application received

Map filed *Sept. 14, 1987 under 50989*

Sent for publication *JUL 21 1994*

Proof of publication filed *AUG 26 1994*

Investigated on ground by

Protested

Ready for action *SEP 20 1994*Approved *January 22, 1996 0.1 cfs min., mill., + dom.*

Denied

	PROOF OF COMMENCEMENT	PROOF OF COMPLETION	PROOF OF BENEFICIAL USE	CULTURAL MAP
Date due		FEB 22 1997	FEB 22 1999 <i>2000</i>	
1st extension			<i>2000</i> 02	
2nd extension			No Further Extension	
Date filed		FEB 20 1997		
				Filed under map

CERTIFICATE NO.	ISSUED	AMOUNT
Use		
COMPUTER CHECK	File Entry <i>TS</i>	Publication <i>me</i>
	Permit <i>JL</i>	Certificate

SEND NOTICES & CORRESPONDENCE TO: ADDRESS

HUGH INGLE JR.
 1161 HIGHWAY 339
 YERINGTON, NV 89447
 (702) 463-2893
 per ltr: 02/20/98

There is no EXHIBIT 81

Parcel Number 010-502-01
Last Updated 11/27/00 * PA XFER
Ownership (F6=All Owners F7=Documents)
Legal Owner..... LEINASSAR, ALAN S & MARIANNE F Force Assmt Notice....
Assessed Owner..... LEINASSAR, ALAN S & MARIANNE F
Mail Address..... P O BOX 117

City, State..... SMITH, NV Zip... 89430-0000
Vesting Doc #, Date. 106991 4/22/87 Yr,Bk,Pg 00 000 000 Corr Rq'd
Map Document #s..... RS99763
Description (F11=Additional Locations)
Dir Street or Other Description Unit #(s)
Property Location... 2311 HWY 208 20-11-24 FRW2SW4/PAR 1
Subdivision..... Block.... Lot....
Town.....
Property Name..... DENTAL OFFICE
Remarks.....
Parcel # Containing Descriptive/Document Data....
Size
Total Acres... 2.88 Square Feet.... 0
Ag Acres..... .00 W/R Acres..... .00
F9=Scan >/< > F10=Other Functions F12=Cancel F14=Imprvmnts/Appraisal Data
F15=Legal Description F16=Misc Notes F17=Factoring History F20=Tax Years
F21=Personal Property F22=Ag Land F23=Exemptions F24=Livestock Counts

Parcel Number 010-502-01 Owner LEINASSAR, ALAN S & MARIANNE F

Location 2311 HWY 20 20-11-24 FRW2SW4/PAR 1 own

Documents

Type	Description/Name	Doc #	Six	Date	Book	Pages
PAR	PARCEL MAP	72820		2/11/83		-
		Cost.....				
GBS	GRANT BARGAIN SALE DEED	74152		3/18/83		-
		Cost.....				
ROS	RECORD OF SURVEY	99763		5/23/86		-
		Cost.....				
AGR	AGREEMENT/OPTION/MISCL	106990		4/23/87		-
		Cost.....				
QCD	LEINASSAR, ALAN S & MARIANNE F	106991		4/22/87		-
	QUITCLAIM DEED	Cost.....				
QCD	QUITCLAIM DEED	107031		4/23/87		-
		Cost.....				
QCD	LEINASSAR, ALAN S & MARIANNE F	107033		4/23/87		-
	QUITCLAIM DEED	Cost.....				
		Cost.....				
		Cost.....				

F9=Scan >/< >

Page 1

Roll Up, Down

F6=All Owners

Already at bottom of list.

F10=Other Functions

F12=Return

Bottom

<p>RECORDING REQUESTED BY</p> <p>AND WHEN RECORDED MAIL TO</p> <p>Name _____ Street Address _____ City _____ State _____ Zip _____</p>	<p style="text-align: center;">74152</p> <p style="text-align: center;">OFFICIAL RECORDS RECORD ROOM CHARTER TITLE</p> <p style="text-align: center;">83 MAR 18 P 3:17</p> <p style="text-align: center;">MAIL TAX STATEMENTS TO</p> <p>Name _____ Street Address _____ City _____ State _____ Zip _____</p> <p style="text-align: center;">MAIL TAX STATEMENTS TO</p> <p>Name _____ Street Address _____ City _____ State _____ Zip _____</p>
<p>REAL PROPERTY TRANSFER TAX \$ <u>3.85 full value</u></p>	
<p>GRANT BARGAIN AND SALE DEED</p> <p>(Escrow No. <u>11051</u>)</p>	
<p>In consideration of the sum of -----TEN AND NO/00-----Dollars, the receipt whereof is hereby acknowledged,</p> <p style="text-align: center;">F.M. FULSTONE INCORPORATED, a Nevada Corporation</p> <p>do hereby GRANT, BARGAIN and SELL to</p> <p style="text-align: center;">ALAN SCOTT LEINASSAR and MARIANNE F. LEINASSAR, husband and wife as Joint Tenants with rights of survivorship</p> <p>the following described Real Property in the State of Nevada, County of <u>Lyon</u></p> <p>City of _____</p> <p style="text-align: center;">Situate in a portion of Sections 19 and 20 of Township 11 North, Range 24 East, M.D.B. & M., described as follows: PARCEL NO. 1 according to that certain Parcel Map filed for record in the Office of the Lyon Recorder, Lyon County, Nevada on February 11, 1983 under Official Record No. 72820.</p> <p>Together with the cements, hereditaments and appurtenances thereunto belonging or appertaining, and the reversions, remainders, rents, issues, and profits thereof.</p> <p>Witness OUR hand this <u>9th</u> day of <u>MARCH</u>, 19<u>83</u></p> <p style="text-align: center;">F.M. FULSTONE, INCORPORATED</p> <p style="text-align: center;">by <u>Fred M. Fulstone, Jr.</u> President</p> <p style="text-align: center;">By <u>Richard M. Fulstone</u> Secretary</p>	
<p>STATE OF NEVADA</p> <p>COUNTY OF _____</p> <p>Notary Public in and for said</p>	<p>On _____, 19____, before me, the undersigned, a Notary Public in and for said County and State, personally appeared _____ known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.</p> <p>Notary's Signature _____</p>
<p>MAIL TAX STATEMENTS AS DIRECTED ABOVE 74152</p>	

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

- - - - -

WHEREAS, Katherine A. Rice, Agent has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from an underground source through a drilled well, pump and distribution system for commercial and domestic purposes. The point of diversion of water from the source is as follows:

SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 20, T.11N., R.24E., M.D.B.&M.,
or at a point from which the NW $\frac{1}{4}$ corner of said
Section 20 bears N. 3° 17'42" W., a distance
of 1,495.35 feet situated in Lyon County,
State of Nevada.

NOW KNOW YE, That the State Engineer, under the provisions of NRS 533.425, has determined the date, source, purpose, amount of appropriation, and the place where such water is appurtenant, as follows:

Name of appropriator: Alan Scott & Marianne F. Leinassar
Source: Underground
Manner of Use: Commercial and Domestic
Amount of appropriation: 0.20 c.f.s., but not to exceed 1.049 million gallons annually
Period of use: January 1st to December 31st of each year
Date of priority of appropriation: *May 23, 1983

Description of the works of diversion, manner and place of use:

Water is developed by means of a drilled well, 155 feet deep, 8 inch casing via a 1 H.P. centrifugal pump, thence through a distribution system to a professional office building with landscaping for commercial purposes located within portions of NW $\frac{1}{4}$ SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 20, T.11N., R.24E., M.D.B.&M.

*This certificate changes the point of diversion of Permit 46943, therefore, the date of priority remains the same as Permit 46943.

This certificate is issued subject to the terms of the permit.

The right to water hereby determined is limited to the amount which can be beneficially used, not to exceed the amount above specified, and the use is restricted to the place and for the purpose as set forth herein.

IN TESTIMONY WHEREOF, I R. MICHAEL TURNIPSEED, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 14th day of NOVEMBER, A.D. 19 94.


State Engineer

bk/sb

NEVADA DIVISION OF WATER RESOURCES
WATER RIGHTS DATABASE

SPECIAL HYDROGRAPHIC ABSTRACT

Selection Criteria: o.owner_name LIKE '%LEINASSAR%' order by basin,m.app

Run Date: 11/10/2003

BASIN	APP	CHANGE OF APP	CERT DATE	FILING DATE	STAT	CHANGE BY: APP STAT	SRC	POINT OF DIVERSION	QTR	SEC	TWN	RNG	RATE OF USE (CFS)	DIV TYPE	IRRIGATED ACRES	ANNUAL DUTY	UNIT	CO	OWNER OF RECORD
107	46943			05/23/1983	ABR		UG	NW	SW	20	11N	24E	0.000	COM		0.00MGAL	LY		LEINASSAR, ALAN SCOTT, LEINASSAR, MARIANNE F.
	56746						UG	SW	SW	20	11N	24E	0.200	COM		1.05MGAL	LY		LEINASSAR, MARIANNE F., SCOTT, ALAN
	46943		13961	09/12/1991	CER		UG	SW	SW	20	11N	24E	0.200	COM					

-- End of Report --

No. 56746	Date Filed SEP 12 1991	Indexed under	Well Log 26660
Name of applicant	<input checked="" type="checkbox"/>	Map	Basin 9 - 107
Stream		SMITH VALLEY	
Township 11N Range 24E		County LYON	
Point of diversion SW 1/4 SW 1/4 Section 20			
Applicant ALAN SCOTT & MARIANNE F. LEINASSAR			
Source of Water UNDERGROUND			
Returned for correction NOV 13 1991		Abrogated by	
Corrected application received			
Map filed NOV 19 1991			
Sent for publication DEC 02 1991			
Proof of publication filed JAN 07 1992			
Investigated on ground by			
Protested			
Ready for action FEB 02 1992			
Approved March 25, 1992 0.2 cfs Commercial & Dom.			
Denied			
	PROOF OF COMMENCEMENT	PROOF OF COMPLETION	PROOF OF BENEFICIAL USE
Date due		SEP 25 1992	MAY 23 1993
1st extension			
2nd extension			
Date filed		SEP 15 1992	JUN 17 1994
			Filed under map
CERTIFICATE NO. 13941	ISSUED 11-14-94	AMOUNT 0.20 cfs	
Use Commercial & Domestic			
COMPUTER CHECK	File Entry TS	Publication MC	Permit ES
			Certificate JF

Owner's new address 12--16-91

Copies of all corres. to:

Scott & Marianne Leinassar
P.O. Box 129
Smith, NV 89430

Rice Engineering, Inc.
P.O. Box 130
Smith, NV 89430

12-16-91

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.

3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date

9-4-03

Signature

Stephen B. Rye

Stephen B. Rye

Printed Typed Name

If you are acting on behalf of any entity, identify that you are
acting as: attorney for
(Title)

Lyon County Cemetary II, Lyon County

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT,
a corporation, et al.,

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.

2. I am filing this document with the District Court at the following address:

Chief Deputy Clerk
United States District Court for the
District of Nevada
400 South Virginia Street, Suite 301
Reno, Nevada 89501

3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of
Summons, I am mailing a copy of this document to:

Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
P.O. Box 756
Littleton, Colorado 80160

4. I (or the entity on whose behalf I am acting) will retain all defenses or objections
to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect
in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent
me in these proceedings, I identify that attorney below, along with his or her mailing address,
telephone number, and facsimile number:

1 Attorney:

2 George Benesch, Esq. Lyon County District Attorney
3 Attn: Stephen B. Rye

4 Address:

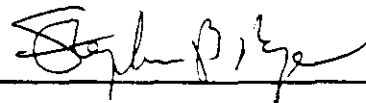
5 9432 Double R Blvd. 31 S. Main Street
6 Suite B Yerington, NV 89447
7 Reno, NV 89521

8 Phone Number:

9 (775) 827-3100

(775) 463-6511

10 Fax Number:

11 

12 (Signature)

13 Stephen B. Rye

14 (Printed or typed Name)

15 Lyon County
16 Cemetery II, Lyon County

17 (Entity, if any, on whose
18 behalf you are appearing)

19 31 S. Main Street
20 Yerington, NV 89447

21 (Address)

22 (775) 463-6511

23 (Telephone number)

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

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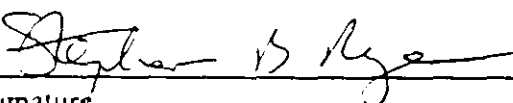
2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.

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Date 9-4-03



Signature

Stephen B. Rye

Printed Typed Name

If you are acting on behalf of any entity, identify that you are
acting as: attorney for
(Title)

Lyon County Courthouse, Lyon County
(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT,
a corporation, et al.,

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.

2. I am filing this document with the District Court at the following address:

Chief Deputy Clerk
United States District Court for the
District of Nevada
400 South Virginia Street, Suite 301
Reno, Nevada 89501

3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of
Summons, I am mailing a copy of this document to:

Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
P.O. Box 756
Littleton, Colorado 80160

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5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent
me in these proceedings, I identify that attorney below, along with his or her mailing address,
telephone number, and facsimile number:

Attorney:

George Benesch, Esq. Lyon County District Attorney
Attn: Stephen B. Rye

Address:

9432 Double R Blvd. 31 S. Main Street
Suite B Yerington, NV 89447
Reno, NV 89521

Phone Number:

(775) 827-3100 (775) 463-6511

Fax Number:

(Signature)

Stephen B. Rye
(Printed or typed Name)

Lyon County Courthouse,
Lyon County

(Entity, if any, on whose
behalf you are appearing)

31 S. Main Street

Yerington, NV 89447

(Address)

(775) 463-6511
(Telephone number)

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Date 9-4-03

Stephen B. Rye
Signature

Stephen B. Rye
Printed Typed Name

If you are acting on behalf of any entity, identify that you are
acting as: attorney for
(Title)

Lyon County Elm Tree Cemetary (Missouri Flats)
(Corporate, Trust, Partnership or other entity) Lyon County

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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1
2 IN THE UNITED STATES DISTRICT COURT
3 FOR THE DISTRICT OF NEVADA

4 UNITED STATES OF AMERICA.)

5 Plaintiff.)

6 WALKER RIVER PAIUTE TRIBE.)

7 Plaintiff-Intervenor.)

8 vs.)

9 WALKER RIVER IRRIGATION DISTRICT,)

a corporation, et al.,)

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

10 NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

11 1. I hereby enter my appearance in this sub-proceeding in this case.

12 2. I am filing this document with the District Court at the following address:

13 Chief Deputy Clerk
14 United States District Court for the
15 District of Nevada
16 400 South Virginia Street, Suite 301
Reno, Nevada 89501

17 3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of
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19 Susan L. Schneider
20 Attorney for the United States of America
21 United States Department of Justice
22 Environment & Natural Resources Division
23 P.O. Box 756
24 Littleton, Colorado 80160

25 4. I (or the entity on whose behalf I am acting) will retain all defenses or objections
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27 in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

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me in these proceedings. I identify that attorney below, along with his or her mailing address,
telephone number, and facsimile number:

1 Attorney:

2 George Benesch, Esq. Lyon County District Attorney
3 Attn: Stephen B. Rye

4 Address:

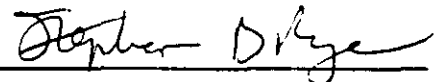
5 9432 Double R Blvd. 31 S. Main Street
6 Suite B Yerington, NV 89447
7 Reno, NV 89521

8 Phone Number:

9 (775) 827-3100

(775) 463-6511

10 Fax Number:

11 

12 (Signature)

13 Stephen B. Rye

14 (Printed or typed Name)

15 Lyon County Elm Tree Cemetary
16 (Missouri Flats), Lyon County

17 (Entity, if any, on whose
18 behalf you are appearing)

19 31 S. Main Street
20 Yerington, NV 89447

21 (Address)

22 (775) 463-6511

23 (Telephone number)

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TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.

3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 9-4-03

Stephen B. Rye
Signature

Stephen B. Rye
Printed Typed Name

If you are acting on behalf of any entity, identify that you are
acting as: attorney for
(Title)

Lyon County Fairgrounds, Inc., Lyon County
(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT,
a corporation, et al.,

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.

2. I am filing this document with the District Court at the following address:

Chief Deputy Clerk
United States District Court for the
District of Nevada
400 South Virginia Street, Suite 301
Reno, Nevada 89501

3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of
Summons, I am mailing a copy of this document to:

Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
P.O. Box 756
Littleton, Colorado 80160

4. I (or the entity on whose behalf I am acting) will retain all defenses or objections
to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect
in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent
me in these proceedings, I identify that attorney below, along with his or her mailing address,
telephone number, and facsimile number:

1 Attorney:

2 George Benesch, Esq. Lyon County District Attorney
3 Attn: Stephen B. Rye

4 Address:

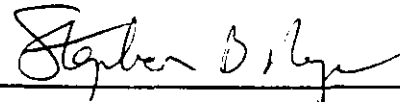
5 9432 Double R Blvd. 31 S. Main Street
6 Suite B Yerington, NV 89447
7 Reno, NV 89521

8 Phone Number:

9 (775) 827-3100

(775) 463-6511

10 Fax Number:

11 

12 (Signature)

13 Stephen B. Rye

14 (Printed or typed Name)

15 Lyon County Fairgrounds
16 Inc., Lyon County

17 (Entity, if any, on whose
18 behalf you are appearing)

19 31 S. Main Street

20 Yerington, NV 89447

21 (Address)

22 (775) 463-6511

23 (Telephone number)

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

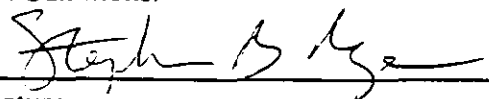
2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.

3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 9-4-03



Signature

Stephen B. Rye

Printed Typed Name

If you are acting on behalf of any entity, identify that you are
acting as: attorney for
(Title)

Lyon County Public Works, Lyon County
(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

1
2 **IN THE UNITED STATES DISTRICT COURT**
3 **FOR THE DISTRICT OF NEVADA**

4 UNITED STATES OF AMERICA,)

5 Plaintiff,)

6 WALKER RIVER PAIUTE TRIBE,)

7 Plaintiff-Intervenor,)

8 vs.)

9 WALKER RIVER IRRIGATION DISTRICT,)
 a corporation, et al.,)

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

10 **NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE**

11 1. I hereby enter my appearance in this sub-proceeding in this case.

12 2. I am filing this document with the District Court at the following address:

13 Chief Deputy Clerk
14 United States District Court for the
 District of Nevada
15 400 South Virginia Street, Suite 301
16 Reno, Nevada 89501

17 3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of
18 Summons, I am mailing a copy of this document to:

19 Susan L. Schneider
20 Attorney for the United States of America
 United States Department of Justice
21 Environment & Natural Resources Division
 P.O. Box 756
 Littleton, Colorado 80160

22 4. I (or the entity on whose behalf I am acting) will retain all defenses or objections
23 to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect
24 in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

25 5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent
26 me in these proceedings, I identify that attorney below, along with his or her mailing address,
27 telephone number, and facsimile number:
28

1 Attorney:

2 George Benesch, Esq. Lyon County District Attorney
3 Attn: Stephen B. Rye

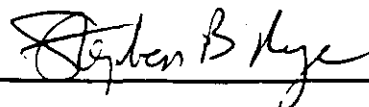
4 Address:

5 9432 Double R Blvd. 31 S. Main Street
6 Suite B Yerington, NV 89447
7 Reno, NV 89521

8 Phone Number:

9 (775) 827-3100
10 Fax Number:

(775) 463-6511

11 

12 (Signature)

13 Stephen B. Rye

14 (Printed or typed Name)

15 Lyon County Public Works,
16 Lyon County

17 (Entity, if any, on whose
18 behalf you are appearing)

19 31 S. Main Street

20 Yerington, NV 89447

21 (Address)

22 (775) 463-6511

23 (Telephone number)

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.

3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

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5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 8-26-03

Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: Board President of

(Title)

Lyon County Schools
(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

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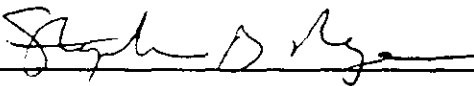
3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date

9-4-03



Signature

Stephen B. Rye

Printed Typed Name

If you are acting on behalf of any entity, identify that you are
acting as: attorney for
(Title)

Lyon, County of

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT,
a corporation, et al.,

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.

2. I am filing this document with the District Court at the following address:

Chief Deputy Clerk
United States District Court for the
District of Nevada
400 South Virginia Street, Suite 301
Reno, Nevada 89501

3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of
Summons, I am mailing a copy of this document to:

Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
P.O. Box 756
Littleton, Colorado 80160

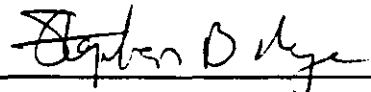
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to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect
in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent
me in these proceedings, I identify that attorney below, along with his or her mailing address,
telephone number, and facsimile number:

1 Attorney:
2 George Benesch, Esq. Lyon County District Attorney
Attn: Stephen B. Rye

3 Address:
4 9432 Double R Blvd. 31 S. Main Street
Suite B Yerington, NV 89447
5 Reno, NV 89521

6 Phone Number:
7 (775) 827-3100 (775) 463-6511
Fax Number:

8 

9 (Signature)

10
11 Stephen B. Rye
12 (Printed or typed Name)

13
14 Lyon, County of
15 (Entity, if any, on whose
16 behalf you are appearing)
17 31 S. Main Street
Yerington, NV 89447

18 (Address)
19 (775) 463-6511

20 (Telephone number)

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

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3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 5-18-05


Signature

Kenneth M. Maple
Printed Typed Name

If you are acting on behalf of any entity, identify that you are
acting as: _____ of
(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT,
a corporation, et al.,

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.

2. I am filing this document with the District Court at the following address:

Chief Deputy Clerk
United States District Court for the
District of Nevada
400 South Virginia Street, Suite 301
Reno, Nevada 89501

3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of
Summons, I am mailing a copy of this document to:

Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
P.O. Box 756
Littleton, Colorado 80160

4. I (or the entity on whose behalf I am acting) will retain all defenses or objections
to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect
in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent
me in these proceedings, I identify that attorney below, along with his or her mailing address,
telephone number, and facsimile number:

Attorney:

Address:

Phone Number:

Fax Number:

L. S. H. H. H.
(Signature)

Robert M. H. H.
(Printed or typed Name)

(Entity, if any, on whose
behalf you are appearing)

(Address)

PE 150 S. H. H. H.
(Telephone number) *877 415*

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

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Date: 8-15-03

Susan L. Maple
Signature

SUSAN L. MAPLE
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are
acting as: _____ of
(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked to appear, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff.

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT,
a corporation, et al.,

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

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400 South Virginia Street, Suite 301
Reno, Nevada 89501
3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of

Summons, I am mailing a copy of this document to:

Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
P.O. Box 756
Littleton, Colorado 80160

4. I (or the entity on whose behalf I am acting) will retain all defenses or objection to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent me in these proceedings, I identify that attorney below, along with his or her mailing address, telephone number, and facsimile number:

1 Attorney:

2
3 Address:

4
5
6 Phone Number:

7 Fax Number:

8 Susan L. Maple
9 (Signature)

10
11 SUSAN L. MAPLE
12 (Printed or typed Name)

13
14
15 (Entity, if any, on whose
16 behalf you are appearing)

17 P.O. BOX 1903 PARCE/C Te
18 HAWTHORNE, NV. 89415
19 (Address)

20
21
22
23
24
25
26
27
28 (Telephone number)

NEVADA DIVISION OF WATER RESOURCES

WATER RIGHTS DATABASE

SPECIAL HYDROGRAPHIC ABSTRACT

Run Date: 11/10/2003

Selection Criteria: o.owner_name LIKE '%MAPLE%' order by basin.m.app

73-cv-00127-CMD-CSD

BASIN	APP	CHANGE OF APP	CERT	FILING DATE	STAT	CHANGE BY:	SRC	POINT OF DIVERSION	DIV TYPE	RATE OF (CFS)	USE	SUP	IRRIGATED ACRES	ANNUAL DUTY	UNIT	CO	OWNER OF RECORD
053	1874			11/14/1910	WDR		STR	SE 28 30N 52E	IRR	0.000	IRR			0.00	EU	MAPLES S	BENTLY FAMILY LTD
105	123DCR			10/28/1980	DEC		STR	SE 23 12N 20E	DEC	0.000	DEC		0.00	0.00	DO		PARTNERSHIP, JOHNSON, E. M., JOHNSON, MARTIN W., JOHNSON, WILLIAM, MAPLE, JERRY, MAPLE, PENN
124DCR				10/28/1980	DEC		STR	SE 23 12N 20E	DEC	0.000	DEC		0.00	0.00	DO		BENTLY FAMILY LTD PARTNERSHIP, JOHNSON, E. M., JOHNSON, MARTIN W., JOHNSON, WILLIAM, MAPLE, JERRY, MAPLE, PENN
108	15567			03/24/1954	CAN		UG	SE NW 14 14N 26E	IRD	3.000	IRD			0.00*	LY		MAPLES, LAWRENCE D.
110C	51905			03/08/1980	CAN		UG	NW NW 04 07N 30E	STK	0.001	STK			0.00	MI		MAPLE, KENNETH M., MAPLE, SUSAN L.
212	34856			01/09/1978	RVP		UG	NW SW 34 19S 60E	QM	0.100	QM		1.46MGA	1.46MGA	CL		HADLEY, ALAN S., HADLEY SHAUNA, MAPLETHORPE, STEVE, ROSS, VICKIE

-- End of Report --

